

The opinion in support of the decision being entered today was not written for publication and is not binding precedent of the Board.

Paper No. 41

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES  
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**MAILED**

**JUL 31 2003**

PAT. & T.M. OFFICE  
BOARD OF PATENT APPEALS  
AND INTERFERENCES

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Ex parte CHRISTOPHER TURNER, JOSEPH M. JACOBSON,  
and BARRETT COMISKEY  
\_\_\_\_\_

Appeal No. 2003-1273  
Application No. 08/820,057  
\_\_\_\_\_

ORDER REMANDING TO EXAMINER  
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On July 18, 2003, appellants filed an Information Disclosure Statement (IDS) (Paper No. 40). It is not clear from the record whether the examiner fully considered the IDS statements submitted or whether the examiner notified appellants of why their submission did not meet the criteria set forth in 37 CFR §§ 1.97 and 1.98.

Appeal No. 2000-1680  
Application No. 08/736,055

Accordingly, it is

ORDERED that this application be remanded to the examiner for: 1) consideration of the Information Disclosure Statement (Paper No. 40); and 2) for such further action as may be appropriate.

It is important that the Board of Patent Appeals and Interferences be informed promptly of any action affecting the status of this appeal (i.e., abandonment, issue, reopening prosecution).

BOARD OF PATENT APPEALS  
AND INTERFERENCES

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